



The Commonwealth of Massachusetts

Department of State Police

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

DANIEL BENNETT
SECRETARY

COLONEL KERRY A. GILPIN
SUPERINTENDENT

Office of the Chief Legal Counsel

470 Worcester Road

Framingham, Massachusetts 01702

December 7, 2018

Daysia Tolentino
MuckRock News
DEPT MR 63416
411A Highland Ave
Somerville, MA 02144-2516

Via Email Only

63758-18763677@requests.muckrock.com

Re: Your Request for Records

Dear Ms. Tolentino:

The Department of State Police (the "Department") is in receipt of your request for information on official Department policies concerning the use, deployment, and maintenance of tasers and usage and deployment logs collected by the Department from January, 2012 to the present.

Attached please find the Department's Use of Force policies that discuss when and how a Department member is authorized to employ a use of force response, what equipment shall be utilized, and the reporting requirements that follow. See UOF-01, UOF-04. The Department has a dedicated policy outlining proper guidance and direction on the use of Electronic Control Weapons ("ECWs"). See UOF-06. The Department defines an ECW as a weapon that uses electricity to override voluntary motor responses or applies pain in order to gain compliance or overcome resistance. ECWs are designed to incapacitate without causing serious physical injury or death. Please note that Taser is a brand name manufacturer of various products, including stun guns or ECWs. Insofar as your request seeks information directly related to brand-name Taser products, the Department objects to your request under exemptions to the Massachusetts public records law that prevent public safety agencies from disclosing the exact manner in which it outfits its law enforcement officers to perform the essential duties of their employment. See G.L. c. 4, §7, cl. 26 (f) and (n). As such, any information relating to weapons stocks, names of manufacturers or serial numbers is being withheld from the enclosed documents. To the extent

Excellence In Service Through Quality Policing

that your request seeks information regarding the use of ECWs throughout the Department, attached please find the Department's completed Electronic Control Weapons (ECW) Use Reporting Forms for years 2012 through 2018.

If you wish to challenge any aspect of this response, you may appeal to the Supervisor of Public Records as set forth in 950 C.M.R. 32.08, a copy of which is available at <http://www.mass.gov/courts/case-legal-res/law-lib/laws-by-source/cmr/>. You may also file a civil action in accordance with M.G.L. c. 66, § 10A. Thank you for your attention to this matter.

Respectfully,



Alycia J. DeAngelis, Esq.
Staff Counsel
Massachusetts State Police
(508) 988-7426

Enclosures